

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DAIRY, LLC, a Delaware Limited Liability  
Company,

Plaintiff,

v.

MILK MOOVEMENT, INC., a foreign  
Corporation, and MILK MOOVEMENT,  
LLC, a Delaware Limited Liability  
Company,

Defendants.

Case No.: 2:21-CV-02233-WBS-AC

**SECOND AMENDED CASE  
SCHEDULING ORDER**

MILK MOOVEMENT, INC., a foreign  
Corporation,

Counterclaim-Plaintiff,

v.

DAIRY, LLC, a Delaware Limited Liability  
Company,

Counterclaim-Defendant.

## SECOND AMENDED CASE SCHEDULING ORDER

After reviewing the parties' Joint Request for Continuance and Proposed Second Amended Case Schedule, the court hereby vacates the trial date currently set for November 7, 2023, and amends the case schedule as set forth below.

I. DISCOVERY

The Parties shall substantially complete production of documents concerning the Stayed Discovery on or before **July 14, 2023**. Fact discovery shall be so conducted as to be completed by **October 27, 2023**. The word "completed" means that all discovery shall have been conducted so that all depositions have been taken and any disputes relevant to discovery shall have been resolved by appropriate order if necessary, and where discovery has been ordered, the order has been obeyed. All motions to compel discovery must be noticed on the magistrate judge's calendar in accordance with the local rules of this court and so that such motions may be heard (and any resulting orders obeyed) not later than **October 27, 2023**. Until this amended close of fact discovery, depositions may be taken of any fact witness on any topic permissible under the Federal Rules of Civil Procedure;

The Parties shall disclose experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) by no later than **November 21, 2023**. With regard to expert testimony intended solely for rebuttal, those experts shall be disclosed and reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before **January 5, 2024**. All expert depositions shall be concluded by **February 2, 2024**.

II. MOTION HEARING SCHEDULE

All motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be filed on or before **February 23, 2024**. All motions shall be noticed for the next available hearing date.

III. FINAL PRETRIAL CONFERENCE

The Final Pretrial Conference is set for **April 8, 2024** at 1:30 p.m. (Pacific Time) in Courtroom No. 5 or via videoconference. The Courtroom Deputy will notify the parties prior to the Conference whether the Conference will be held in person or via videoconference. The conference

1 shall be attended by at least one of the attorneys who will conduct the trial for each of the parties  
2 and by any unrepresented parties.

3 IV. TRIAL SETTING

4 The jury trial is set for **June 11, 2024** at 9:00 a.m. (Pacific Time). Milk and Dairy both  
5 estimate that the trial will be completed in 14 days, provided the parties are able to reach  
6 agreements on authenticity and pre-admissibility of exhibits, as the parties anticipate that they will  
7 be able to do.

8 **IT IS SO ORDERED.**

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10 Dated: May 30, 2023



11 WILLIAM B. SHUBB  
12 UNITED STATES DISTRICT JUDGE  
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